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ABSTRACT

Research on intra-district inequalities is necessary for determining if changes in state financing formulas have affected inequitable distributions of educational resources within school districts and between classrooms in individual schools. Material inequalities in per pupil expenditures based on race were outlawed by the Hobsen vs Hansen court decision. Title I of the Elementary and Secondary Education Act was found to have worsened intra-district inequalities in some school systems either through the withdrawal of local funds from poor schools or through improper use of funds to purchase services for ineligible children. Intra-district inequalities were found by the Office for Civil Rights in New York City, Chicago, and Los Angeles. The inequalities were related to racial, ethnic, and - inferentially - economic factors. Efforts to support litigation for revision of inter-district taxation has led to the omission of emphasis on intra-district inequalities and to the exaggeration of factors beyond district control. A new Federal inquiry into inter-district, intra-district, and within school inequalities may be of pivotal significance in the formulation of future policy and research. Tables of data are included and a bibliography is appended. (Author/MK)

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RESEARCH REVIEW OF EQUAL EDUCATION

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Intra-District Inequalities, II

Meyer Weinberg

5. The Heritage of *Hobson*

In *Hobson II* (1971), the court ordered the District of Columbia to equalize per pupil expenditures on teacher salaries and benefits within a five percent spread. How was this implemented?

It is important to realize that the school district had not taken very seriously the injunction of the court in *Hobson I* (1967) to reduce intra-district inequalities. Cuban, who was the district's director of staff development in 1968-1970, writes:[1]

> Not once in staff meetings with the Deputy Superintendent . . . was the Wright Decree an agenda item. Only in July, 1970, when the court ordered the board to supply memoranda, was the writer directed to compile data about compliance with the decree.

After issuance of *Hobson II,* a team of outside consultants was employed to create a data base for redistribution of resources. The school system seemed to lack even the most elementary records.

Winokur, the team's co-manager, has written a careful account of its work. The following tables summarize his material.

Table 1. Distribution of Schools by Deviation From Citywide Mean[a]
(Citywide average teacher expenditures per pupil = $250.69)

Percentage Deviation from Citywide Mean	Before	After
Greater than 20%	29	0
Between 10 and 20%	29	0
Between 5 and 10%	31	0
Between 3 and 5%	17	57
Between 0 and 3%	30	79
	136	136

[a]The "before" figures describe the state of compliance using a mean of $520.69. This mean was based on projected 1971-72 enrollments as of September 20, 1971 and teacher assignments as of July 15, 1971. Thus, the "before" figures do not directly describe the status of expenditures as they appeared when schools closed in June 1971. Rather, they reflect the mid-summer status, before equalization, as it was affected by budget redirections and teacher retirements and resignations.

Source: Washington, D.C. Board of Education, et. al., "Report to the U.S. District Court" (Washington, D.C., September 28, 1971), Table I-1. Hereinafter cited as "Report."

1. Larry Cuban, "*Hobson* v. *Hansen:* A Study in Organizational Response," *Educational Administration Quarterly,* 11 (Spring 1975), p. 23.
2. Herbert S. Winokur, Jr., "Expenditure Equalization in the Washington, D.C. Elementary Schools," *Public Policy,* 24(Summer 1976), p. 317.

Table 1 shows the sharp reduction in inequalities produced by the court-ordered plan.

Table 2. Impact of The Equalization Plan by Economic Status of Neighborhood[3]

Economic Status Grouping	% Change in Number of Teachers	$ Change in Average Teacher Expenditures per Pupil	Number of Pupils per Teacher	
			Before	After
1 (lowest)	-3.3%	$-16.5	26	28
2	+0.8	+ 4.5	28	27
3	+0.4	+ 2.4	27	27
4	+1.2	+ 6.7	27	27
5	+4.8	+23.7	30	28
6 (highest)	−5.8	−33.6	27	29

Source: "Report," Table 1-5. See Table 1.

Table 2 indicates clearly that schools in the poorer areas of the city gained most from the equalization decree.

Table 3. Impact of the Equalization Plan by Reading Test Scores[4]

Reading Test Group	% Change in Number of Teachers	$ Change in Average Teacher Expenditures per Pupil	Number of Pupils per Teacher	
			Before	After
5 (lowest)	+1.6	$+ 9.1	28	27
4	+2.6	+13.9	28	27
3	−0.5	− 2.0	27	27
2	−1.9	−10.9	27	28
1 (highest)	−2.1	−11.9	28	29

Source: "Report," Table 1-6. See Table 1.

Table 3 demonstrates that the students most in need of instructional assistance received the greatest benefit from the changes.

3. *Ibid.*, p. 318.
4. *Ibid.*, p. 319.

Table 4. Distribution of Special Teacher Expenditures by Administrative Unit Before and After Modification[5]

	% of All Pupils		Percentage of Expenditures							
			Art	Frn. Lang.	Lang. Arts	Math	Music	Phys. Ed.	Read.	Science
A. *Regular Schools*										
1. Anacostia	26.50%	Before	19.0	21.6	21.6	28.5	17.4	21.3	20.4	26.5
		After	24.5	24.2	25.6	24.6	21.5	23.8	27.5	25.7
2. Center City	46.34	Before	47.6	48.7	50.2	44.1	52.9	49.4	42.1	47.4
		After	49.5	48.4	44.2	47.1	52.7	47.8	44.6	48.1
3. West of Park	3.90	Before	6.5	11.8	2.0	0.0	11.5	6.9	7.1	6.0
		After	4.0	7.3	2.0	0.7	4.0	4.8	3.3	3.7
Subtotal	76.74	Before	73.1	82.2	73.9	72.6	81.8	77.6	69.6	79.9
		After	78.0	80.3	71.5	71.9	78.4	76.6	76.5	77.2
B. *Model Schools*		Before	14.8	8.5	7.8	13.8	13.1	13.2	22.2	6.8
Division	11.50	After	9.9	10.3	12.6	12.1	11.4	11.7	13.3	12.6
C. *Anacostia Project*		Before	10.0	8.8	12.1	13.6	4.0	7.5	7.5	10.5
Division	10.81	After	10.4	9.0	13.4	14.6	8.7	9.7	8.9	8.9
D. Community *Schools*		Before	2.1	0.5	6.3	0.0	1.1	1.8	0.7	2.8
Division	0.95	After	1.6	0.5	2.6	1.4	1.6	2.1	1.3	1.3

Source: "Report," Table III-1. See Table 1.

5. *Ibid.*, p. 321.

Table 4 documents the effects of equalization of expenditures on specialized teachers by different groups of schools. With respect to reading teachers, for example, poor schools in Anacostia and the center of the city began receiving more than a proportionate amount per student whereas before the court decree their expenditures on reading teachers were disproportionately low. The most affluent schools, west of the Park, lost most of their privileges in this category of expenditures.

Table 5. Effect of Equalizing Teacher Experience by Ward: Comparison of Two Policy Choices[6]

	Run 1		Run 2	
	Average Teacher Experience as % of Citywide Average	Pupil-Teacher Ratio as % of Citywide Average	Average Teacher Experience as % of Citywide Average	Pupil-Teacher Ratio as % of Citywide Average
Ward 1	99.9%	100.1%	93.8%	97.4%
Ward 2	99.9	99.7	100.3	100.0
Ward 3	98.8	99.7	98.1	99.6
Ward 4	99.9	99.7	104.6	100.4
Ward 5	99.9	99.7	111.1	104.3
Ward 6	101.0	100.1	101.3	99.6
Ward 7	99.9	99.7	101.3	100.4
Ward 8	101.0	101.3	89.5	98.3
Number of Teachers Reassigned	861		458	

Runs 1 and 2 were used midway in the development of the Equalization Plan for the purpose of comparing policy alternatives. They are virtually identical except that 1 seeks to equalize average teacher experience whereas 2 does not.

Source: "Report," Table I-2. See Table 1.

Table 5 contains two options presented by the consultants to the school board. In it is illustrated the potential for a trade-off between smaller classes and a more uniform distribution of teachers by experience. The former was chosen, according to Winokur, because the board felt smaller classes to be educationally advantageous and to minimize the number of teacher transfers. About ten percent of elementary teachers were reassigned.

All in all, then, Judge Wright's decree brought about a levelling of per student expenditures. The contrast with pre-decree days was startling. A question remained as to the degree of compliance.

Baratz, author of the most extensive study of implementing the equalization decree, expresses some doubts about the matter.[7] She acknowledges the equalizing tendency of the change. Taking the period 1971-1974, however, a number of shortcomings are apparent.

6. *Ibid.*,

A practical problem faced by the school board each year was how to equalize resource allocations that had grown out of kilter the preceding year. In 1972, the board decided to accomplish this by shifting special subject teachers in terms of their dollar value.[8] For the next few years music, art, physical education, and other teachers were shifted to adjust financial imbalances. This procedure, Baratz stresses, "eliminated the one policy decision that had been based on educational need."[9] Instead of special subject teachers being utilized in accordance with educational need, they became mere counters in a routine.

By 1974, Baratz found, school which had low per pupil expenditures were spending an average of $508 per pupil for teachers while high-spending schools expended an average of $534, a spread of about three percent, well within the limit prescribed by the *Hobson II* court.[10] Nevertheless, in 1974, 21 schools were out of compliance. Three reasons for such persistence were the failure of assigned persons to show up, unfilled vacancies, and filling of vacancies by persons less trained than those originally assigned.

The trend toward equalization spilled over beyond court-defined areas. Pupil-teacher ratios, for example, had not been defined as an area of court action. Yet, during 1971-1974, a general equalization set in. Funds for special education and federal compensatory programs not included in the court decree likewise were more evenly distributed. Between low and high spending schools, a differential in favor of 54 percent existed in 1971. By 1974, it had fallen to 12 percent.[11]

Baratz points out that the addition of a number of teachers at schools attended by poorer students was not strictly "compensatory"[12]:

> Many of the low spending schools had been severely overcrowded and under-staffed. Thus, the advent of additional teachers as a result of the 1971 *Hobson* decree in many instances merely brought the pupil/classroom teacher-ratio within the acceptable range suggested by board policy. These teachers could hardly be considered "extra" resources.

In this sense, the court decree did not compensate for decades of deliberate differential inequality.

7. See Joan C. Baratz, "Court Decision and Educational Change: A Case History of the D.C. Public Schools, 1954-1974," *Journal of Law and Education*, 4 (January 1975), 63-80 (hereafter designated as "Court Decisions") and *A Quest for Equal Education Opportunity in a Major Urban School District: The Case of Washington, D.C.*, June, 1975, ERIC ED 110 590 (hereafter designated as *A Quest*).
8. Baratz, *A Quest*, footnote 2, p. 95.
9. Baratz, "Court Decisions," p. 76.
10. Baratz, *A Quest*, p. 133.
11. *Ibid.*, pp. 172-175.
12. *Ibid.*, p. 186.

Yet, both Winokur and Baratz credit the court with an effective step toward equalization. "Court interventions," Winokur writes, "appear to have some potentially positive effects on education, especially to the extent that they focus on the objective of better long-term resource allocation relative to educational needs."[13] Baratz's emphasis is somewhat different. She writes that while a court "can successfully order a school system to rectify specific, 'objectively measurable' disparities, be they distribution of children, teacher services, dollars or textbooks, it cannot successfully decree reform."[14] The school system successfully resisted broad reforms that might have created the conditions for equal education. School board members and central administrators who had supported the illegal practices struck down by the court, regarded the court as an "outsider" which did not know the real needs of the District.[15]

"The problems of Washington's schools' , according to Arnold, "derive less from color than from class, for the schools are increasingly devoid of middle-class students, white or black."[16] This view has become almost homiletical in discussions of schooling in the District. One should not grasp it too readily, however, as it reflects a simplistic view of race and class as separate social categories. Missing from it is a consideration of the continuing economic aspect of "race" in the District. Customarily, the measure of "class" that is most widely used is income. If, however, wealth is used, the economic chasm between black and white is enormous, far more so than income statistics indicate.

In 1967, the year of *Hobson I,* the average net worth of each person in the District was $7,200 while that of each person in the country as a whole was $19,000. The difference is explained by the number of poor blacks in the District. As Smith, the foremost student of this matter, points out: "The nonblack average net worth of District of Columbia residents, $19,300, compares favorably with the national figure, while the black average, $1,000, falls far below it."[17] The unrepresentativeness of the black mean figure is underscored by Notrella who points out that "86 percent of the black population [in the District] had [a] net worth of less than $1,000."[18]

13. Winokur, p. 335.
14. Baratz, "Court Decisions," p. 78.
15. See the ineffectual critique of Baratz's "A Quest," written by spokespersons for the school board; appendix to Baratz, *A Quest.*
16. Mark R. Arnold, "Public Schools," in Sar A. Levitan (ed.), *The Federal Social Dollar in Its Own Back Yard,* (Wash., D.C.: Bureau of National Affairs, 1973), p. 23.
17. James D. Smith, "White Wealth and Black People: The Distribution of Wealth in Washington, D.C. in 1967" in Smith (ed.), *The Personal Distribution of Income and Wealth* (N.Y.: Columbia University Press, 1975), p. 349.
18. Vito Natrella, "Discussion: White Wealth and Black People: The Distribution of Wealth in Washington, D.C. in 1967," in *ibid.,* p. 367.

That a sizable part of the black middle class in the District left the public schools is less significant than is the fundamental racial-economic distinction that continues to separate black and white. Even if all middle-class blacks returned their children to the District schools, there is no reason to believe the quality of education for the rest of black children would rise. It should be recalled that the adequacy of education dropped in the District even when virtually all middle-class blacks still lived there or at least sent their children to the public schools.

While Judge Wright's decree spoke of remedying material inequalities in District schools, the political system of the District operated to maintain the larger social inequality which was racial and economic in character. Arnold does note that *Hobson* I and II "sounded the death knell for the elitist system that had permitted certain schools to remain immune to the general decline in standards that followed the influx of poor black families in the postwar years."[19] Very few of the "certain" schools were black ones; that privilege was primarily a white one. The celebrated Dunbar High School had long lost its elite character by 1967. After Dunbar, the black middle class suffered a near-complete racial disadvantage. Their economic position only helped moderate, not avoid, this fate.

6. ESEA-Generated Inequalities

Title I of the Elementary and Secondary Education Act, passed in 1965, provides federal funds to enable educationally disadvantaged students to compensate for their disadvantagement. The funds are allocated to school districts based on their enrollment of economically-poor children. Fundamental to the statute is the presupposition that Title I funds will be used as an "extra" rather than as an opportunity for local school districts to reduce their own spending by the amount of federal aid. Nevertheless, supplanting of local with federal aid went on apace. Title I funds were very frequently used for purposes other than those described in the legislation. In short, many districts treated Title I as general aid rather than aid aimed at a special group. The result was a great widening of intra-district inequalities.

During the first months of Title I, school leaders maneuvered to evade any meaningful federal supervision. In this they succeeded. As McLaughlin writes:[20]

19. Arnold, "Public Schools," p. 27.
20. Millbrey W. McLaughlin, *Evaluation and Reform: The Elementary and Secondary Education Act of 1965, Title I* (Santa Monica, Calif.: Rand, January 1974), p. 23. In the above quotation, the USOE is the U.S. Office of Education, SEA is the state education agency, and LEA is the local education agency.

> By late 1967, the balance of power in the Title I policy arena had become established. The weak posture of USOE simply served to strengthen the hands of SEA's and LEA's and permitted them to follow their own predispositions concerning evaluation and use of Title I funds.

One of the principal protagonists in this political struggle was the Council of the Chief State School Officers or simply "the Chiefs." Its influence extended deeply inside USOE. One of the associate commissioners, Wayne O. Reed, had been called "the highly placed spokesman for the state chiefs within USOE . . ."[21]

After four years of Title I, violations of its provisions and spirit were endemic in the nation's schools. In 1969, a coalition of civil rights and related groups conducted a far-reaching investigation of these violations. The principal findings were as follows:[22]

> 1. The intended beneficiaries of Title I—poor children—are being denied the benefits of the Act because of improper and illegal use of Title I funds.
>
> 2. Many Title I programs are poorly planned and executed so that the needs of educationally deprived children are not met. In some instances there are no Title I programs to meet the needs of these children.
>
> 3. State departments of education, which have major responsibility for operating the program and approving Title I project applications, have not lived up to their legal responsibility to administer the program in conformity with the law and the intent of Congress.
>
> 4. The United States Office of Education, which has overall responsibility for administering the Act, is reluctant and timid in its administration of Title I and abdicated to the states its responsibility for enforcing the law.
>
> 5. Poor people and representatives of community organizations are excluded from the planning and design of Title I programs. In many poor communities, the parents of Title I - eligible children know nothing about Title I. In some communities, school officials refuse to provide information about the Title I program to local residents.

21. John F. and Anne O. Hughes, *Equal Education, A New National Strategy* (Bloomington: Indiana University Press, 1972), p. 102.
22. Washington Research Project of the Southern Center for Studies in Public Policy and the NAACP Legal Defense and Educational Fund, Inc., *Title I of ESEA, Is It Helping Poor Children?* (Washington, D.C.: Washington Research Project), revised second edition, December, 1969, pp. ii-iii.

Each finding was supported by numerous examples drawn from every part of the country, North and South, rural and urban.

Title I funds were not being devoted to children most in need; instead, they were diluted by being spread thinly over many children. Illegal supplanting of state and local funds with Title I funds was widespread. In a number of cases in the South, black schools were brought up to par by the use of federal funds rather than by local funds as was the case with white schools. Programs formerly supported by state or local funds were charged to federal accounts. Also, Title I funds were being used by local authorities to finance some other federal programs. Large amounts of federal money were wasted on equipment, much of it not for the exclusive use of poor children.

Extensive criticisms of state departments of education were made by the report which referred to "inadequate, and often negligent administration of the law."[23] The federal government, too, was characterized as "timid and negligent in implementing Title I."[24] After continued complaints by black groups in Mississippi of racial discrimination in Title I activities, the U.S. Office of Education reluctantly undertook an audit in the state. With respect to 1967-1978 expenditures, it found the following intra-district per pupil inequalities:[25]

Predominantly poor schools	Predominantly non-poor schools
$155.35	$286.05
170.84	263.71
175.44	324.71
183.10	301.71
187.80	239.01

These figures refer only to local and state funds. Title I funds were supposed to be awarded a district only after equal amounts of non-federal money were being spent on all schools. Yet, neither federal nor state authorities interfered with the flow of Title I funds to Mississippi until compelled to do so by unremitting citizen pressure. The same year, a study of the Washington, D.C. schools found very large disparities in per pupil expenditures even *after* Title I funds were allotted to black schools.

The civil rights report of 1969 made a public issue of matters that were common knowledge in educational circles. Many of the elements of the issue came to a head early in 1970 when the U.S. Office of Education, responding in part to civil rights pressure,

23. *Ibid.*, p. 43.
24. *Ibid.*, p. 46.
25. Ed Willingham, "School 'Comparability' Guidelines Focus on Issue of Teacher Seniority Pay," *National Journal*, 2(June 6, 1970), p. 1236.

issued a draft of its Guideline No. 57. This document, designed to guide local districts in complying with Title I regulations, required equal intra-district expenditures on teachers or, in the words of a commentator, "in cases where this was not possible that the difference be made up by the school system through provision of an equivalent value in other resources."[26] The new requirement was an affirmative response to civil rights criticism.

U.S. Commissioner James Allen declared that "unless an equal base exists, a compensatory education program merely provides regular school services, rather than making extra help available to children who need it."[27] School management circles attacked the proposed rule and demanded that any comparison of per pupil expenditures under Title I omit that part of a teacher's salary representing payment for experience or seniority. This viewpoint was voiced by the Council of Chief State School Officers, the National Association of School Boards, the American Association of School Administrators, and others. The National Education Association expressed doubts about the experience pay matter while the American Federation of Teachers did not seem terribly interested. In this case, school management turned out to be far more alert to its interests than teacher groups were about theirs. Comparability, or the requirement of school-to-school equality before compensatory funds could be received, was in Hughes' words "a threat to the big-city tendency to assign their least qualified and poorest paid teachers to the inner-city, predominantly black or Spanish-speaking schools."[28] The threat was turned away quite readily.

Comparable teacher pay between schools was finally defined as total funds minus the money that paid for experience or seniority. In 1970 Congress directed the U.S. Office of Education to enforce this variety of comparability. By July 1, 1972, however, Title I funds were to be cut off by the office in those districts failing to achieve comparability.

In September 1972, two months after the deadline, the Lawyers' Committee for Civil Rights Under Law released its report on school district compliance with the congressional command. It declared:[29]

> The overwhelming number of school districts receiving Title I funds have taken no action to comply with comparability requirements, and few have plans to do so in the future . . . The USOE has neither the capability

26. Mark G. Yudof, "Whatever Happened to Comparability?" *Inequality in Education*, No. 5, undated, p. 22.
27. Willingham, "School 'Comparability' Guidelines," p. 1235.
28. Hughes and Hughes, *Equal Education*, p. 106.
29. Lawyers' Committee for Civil Rights Under Law, *Title I Comparability: A Preliminary Evaluation* (Wash., D.C.: School Finance Project, September 1972), p. 3.

> nor the desire to enforce compliance with comparability requirements.

Of the 80 school districts examined, 98.8 percent had at least one school which violated the comparability requirement.

Between September 1971 and April 1972, HEW audited eleven districts for comparability which was found lacking in most of the districts. The Lawyers' Committee adds that the audit data submitted by the eleven districts were "generally unreliable, invalid, and frequently, unverifiable."[30] Included among the audits were those from New York City and Chicago. Yet, during the summer of 1972 the U.S. Office of Education wrote the American Association of School Administrators that "80 percent of the [LEA] reports showed *'prima facie'* comparability."[31] The Lawyers' Committee was unable to discover a factual basis for the office's finding.

Throughout its report, the Lawyers' Committee bemoans the poor quality of school district data on costs of schooling:[32]

> Although many violations of comparability were disclosed in the preliminary analysis of the eighty districts, the study was conducted on the assumption that the comparability data was accurate and reliable. This assumption, however, proved shaky when a closer look was made of randomly selected districts.

Goettel, writing about the Washington, D.C. school system, states pointedly: "How can a school district that can't keep track of its own staff or can't manage to get supplies distributed to schools collect and provide honest data about resources that have supposedly been allocated to those schools?"[33]

Researchers have yet to consider fully the point being made by the Committee and Goettel. How trustworthy are school cost data which originate from local school districts? Public audits of school board expenditures are rare, at best. The towering edifice of research "findings" in this area may well be resting on flimsy foundations.

In 1976, Killalea Associates studied the exclusion of experience or longevity pay from Title I comparability calculations. Using Fall 1973 data, Killalea found that "if longevity pay were included, almost half of the districts in the sample (413) that were in compliance in 1973 would change status."[34] This finding suggests the

30. *Ibid.*, footnote 10, p. 12.
31. Commissioner Sidney Marland to Paul Salmon, July 21, 1972, quoted in *ibid.*, p. 27.
32. *Ibid.*, p. F-10.
33. Robert J. Goettel, *The Extent of Intra-District Inequalities: Issues and Problems*, April 18, 1974, p. 20 (ERIC ED 095 657).
34. Killalea Associates, Inc. *Selected Issues in Title I Comparability*, April, 1976, p. 14 (ERIC ED 146 250).

exclusion of experience pay is a critical mechanism in disguising intra-district inequalities. The political redefinition of teacher pay in 1970 marked a radical departure from historic definitions of school expenditures. All court decisions — state and federal, North and South — dealing with unequal school expenditures had included total teacher pay as an indicator of equality. Now, the most educationally disadvantaged children in the nation were deprived of part of that equal treatment. This was effectuated by a measure that declared its goal to be the improvement of education for the disadvantaged.[35]

7. New York City

In 1972, the official Fleischmann Commission issued a report on the quality, cost, and financing of elementary and secondary schools in New York State. While it found sizable inequalities between school districts, it rejected any claims of extreme inequality within the cities. With respect to New York City, for example, it stated:[36]

> There is no evidence of gross inequities such as occur between two districts of unequal wealth . . . The facts of *Hobson* v. *Hansen* do not hold true for New York City.

On the other hand, the Commission acknowledged "There is a noticeable difference between the kinds of services purchased for students from minority-ethnic or low-income backgrounds and those purchased for more middle-class white students."[37] Evidently, the Commission did not consider it a gross intra-district inequity that similar amounts of money purchased unequal amounts of resources.

In 1973, Ritterband, in a study of primary schools in New York City, found a high concentration of inexperienced teachers in non-white schools. He asserted that the school district's policy of reducing class size in some such schools did not compensate for the lack of experience. (It should be noted that what appeared to Ritterband as an inequity would be permissible under 1970 standards of comparability under Title I.) Two of Ritterband's specific findings are of interest. One, he found that "together mean teacher salary and pupil teacher ratio account for 52 percent of variation in per pupil expenditures."[38] Two, "the cost increment per percentage

35. See, in general, Julie Roy Jeffrey, *Education for Children of the Poor*, (Columbus: Ohio State University Press, 1978).
36. *Report of the New York State Commission on the Quality, Cost and Financing of Elementary and Secondary Education*, vol. 3 (Albany: The Commission, 1972), p. 12B1.
37. *Ibid.*
38. Paul Ritterband, "Race, Resources and Achievement," *Sociology of Education*, 46 (Spring 1973), pp. 164-165.

point increase of black children is four times that for Puerto Rican children. The pupil-teacher ratio is lower for blacks than it is for Puerto Ricans while the mean teacher salary is lower for Puerto Ricans that it is for blacks.''[39] Clearly, the comparative disadvantage of Puerto Rican children in the city's primary schools is enormous, but even the standard of comparison used — i.e., black children — is itself at a disadvantage.

In 1977 the Office for Civil Rights (OCR) of the U.S. Department of Health, Education, and Welfare completed its New York City study, the most detailed and largest-scale investigation of intra-district inequalities in a single city yet made in the United States.[40] The study began in June 1973 and was for all practical purposes finished early in 1977.

The director of the study summarized its findings as follows:[41]

> Minorities are receiving lower amounts of local resources for basic education, in poorer quality facilities which have a more limited range of curricula . . . Minorities are . . . given unequal educational services . . . Minority and female students in junior high/intermediate and high schools are channelled to less desirable and more restrictive academic, vocational and special programs and are provided with less effective counseling services.

At this point we will draw illustrative examples from the OCR to document some of the findings.

The condition of facilities and equipment in the city schools during 1975-1976 varied directly with the percent minority enrolled. Here are figures showing the percentage of facilities and equipment rated "excellent" with different proportions of minority students:[42]

	Percent minority:	
Facility/equipment	**1-10%**	**91-100%**
Heating	33	21
Audio-visual equipment	39	16
Textbooks	45	17
Lighting	53	28
Regular classrooms	45	19
Classroom furniture	24	9
Library books	49	28
Science laboratories	13	6

39. *Ibid.*, p. 167.
40. For background of this study, see Martin H. Gerry, "The HEW Review of Educational Services to NY's Minority Children", *Integrateducation* 13(May-June 1975), pp. 160-165.
41. Statement by Martin H. Gerry, Director of OCR, January 18, 1977, p. 1.
42. Martin H. Gerry to Chancellor Irving Anker, January 18, 1977, Appendix C (hereafter referred to as "Gerry Letter").

The ratio of guidance counselors varied in the same direction. The counselor-student ratio in non-minority schools was 1-741, while it was 1-1,050 in minority schools.[45]

Attrition rates in city high schools, as measured by passage from 10th to 11th grades, varied as follows:[44]

	Percent
Total students	21.4
Black students	25.7
Spanish-surnamed students	34.2
Other (i.e., white) students	9.1

Asian and white students attended special admissions academic high schools in disproportionately large numbers; black and Hispanic students attended at low rates.[45] Disciplinary practices were discriminatory against minority students.

In October 1977, OCR communicated a new set of charges to the New York City school district. These included several that dealt with intra-district inequalities. For one thing, language-handicapped students were being deprived of an opportunity "to obtain the education generally obtained by other students in the system." Nearby 11,000 Hispanic elementary students with severe English difficulties — as well as another almost 17,000 with less severe difficulties — were in schools lacking "Spanish-fluent staff providing guidance services."[46] There was a similar lack of Spanish-speaking personnel in disciplinary activities. In District 3, three schools enrolled 3,786 students whose first language was Spanish but there were no discipline or guidance personnel who spoke Spanish.[47] In one district with 10 bilingual psychologists and 54,139 Spanish dominant speakers, the ratio was 5,414-1. This far exceeded the number of English-speaking children cared for by each English-speaking counselor.

According to OCR's January 1977 charges, it was found that "as the percentage of minority students attending a school increases, so does the prospect of poor lighting, unsanitary conditions and infestation by vermin."[48] High schools, it was found, received fifteen percent more per pupil when they enrolled substantial numbers of non-minority students than when enrolling mostly minority students.[49] It was also found that "the size of reading and math instructional groups increases as the percentage of minority student enrollment increases."[50]

43. *Ibid.*, Appendix K.
44. *Ibid.*, Appendix N.
45. *Ibid.*, Appendix O.
46. William Valentine, OCR acting regional director, Region II, to Chancellor Irving Anker, October 4, 1977, p. 6.
47. *Ibid.*, p. 7.
48. "Gerry Letter", p. 6.
49. *Ibid.*, p. 5.
50. *Ibid.*, p. 6.

OCR studied per pupil expenditures on a classroom basis as well as the more customary school basis. Teachers in minority schools were less experienced, lower paid, and had fewer advanced degrees. But upon further analysis, the same pattern was discovered to prevail even within single schools. In other words, "individual classes which have higher percentages of minority students are often taught by teachers with less experience and lower educational qualifications than classes which have higher percentages of non-minority students."[51] This finding is based on material from six community districts.

OCR charged that the school district was violating Title I rules. Federal funds were being diverted in two ways, according to the agency:[52]

> (1) The funds are used for the provision of regular instruction programs, rather than supplementary programs, and (2) while the funds are used to provide instructional services in predominantly minority schools, these same instructional services are provided in predominantly nonminority schools from local tax revenues and are, therefore, not supplementary.

OCR added that "in the predominantly minority academic high schools the school system clearly appears to substitute federal dollars for local tax revenues in providing instruction."[53]

OCR made many other findings that are indirectly related to intra-district inequalities. Minority students were overrepresented in mental disability classes and were three times as likely to be disciplined than were non-minority students. In over 200 elementary schools, 430 classrooms were segregated. In nearly 150 elementary schools, ability-grouping resulted in racially-identifiable instructional settings. Language assessment techniques are inadequate. Meetings with parents are three times more likely to be called by guidance counselors in non-minority than in minority schools. While nearly half the counselors in non-minority schools send special material to parents, none in minority schools does. Non-minority students receive far better preparation for entrance exams to special admission high schools. Much sex discrimination was found in the schools.

Clearly, the Fleischmann Report had erred in 1972 when it denied *Hobson*-type intra-district inequalities were present in New York City. The OCR data, developed independently from basic records supplied by school authorities, document not only *Hobson*-type conditions but resemble some of the disparities found in the District of Columbia by the Strayer inquiry of 1949.

51. *Ibid.*, p. 8.
52. *Ibid.*, p. 9.
53. *Ibid.*

OCR had communicated its findings to the city district two days before the change of national administration in January 1977. In October, OCR notified the school board that the January letter had been "withdrawn for further consideration."[54] At the same time, OCR reserved the right to raise in the future the issues discussed in January 1977. OCR did not repudiate the statistics of January 1977.

The OCR study established the existence of a general pattern of intra-district inequality within New York City. Curiously, the city's financial stringency led to an easing of inequality in per pupil expenditures for teachers. Teachers laid off tended to be those with the least seniority and experience, and there was a redistribution of the remaining teachers who had greater seniority. In this way, economic equality gained while economic sufficiency lost ground. In Washington, D.C., however, equalization due to the *Hobson* decrees had been accomplished without such a penalty.

8. Chicago

Baron, in his study of school spending in Chicago during 1961-1966, found that by the end of the period city schools were using Title I funds to supplant local and state funds.[55] Schools attended principally by educationally disadvantaged children were thereby deprived of compensatory education, since the "extra" funds did not arrive at the target schools.

After years of pressure, in 1973 the Illinois state legislature passed a program for state-financed compensatory education. A new "resource equalization formula" contained a weighting factor for the number of disadvantaged children in a district. The law required each recipient district to submit a plan to the state indicating how the funds were to be used "for the improvement of instruction."

Three years later, Sharon Gelder, an alert education editor for the *Chicago Reporter,* found to her surprise that: (1) the state had failed to formulate guidelines for the law, as was required by the legislation; (2) Chicago had not submitted a plan, and (3) the "compensatory" funds were placed by the Chicago school board in general financial accounts to be spent in all schools, disadvantaged and advantaged alike.[56] Since the historic pattern in Chicago has been to appropriate higher per-pupil expenditures to schools attended by middle-class students, the school board used the new funds to widen further the relative disadvantage of disadvantaged

54. Valentine to Anker, October 10, 1977, p. 2.
55. Harold Baron, "Race and Status in School Spending: Chicago, 1961-1966," *Journal of Human Resources,* 6(1971), p. 15.
56. Sharon B. Gelder, "Reading Scores Per Pupil Expenditures — Higher in White than Black Chicago Schools," *Chicago Reporter,* August 1976.

schools.[57] Some three months later, the state education department released interim guidelines. In mid-December, 1976 a lawsuit was filed against the school board. The action requested that special state funds be spent only on disadvantaged students.[58]

Supt. Joseph Hannon ackowledged the use of special funds for advantaged students and cautioned against too-abrupt a change in policy. In a projection published a day after the above-mentioned lawsuit was filed, Hannon said that sudden withdrawal of special funds from one predominantly-white, and largely middle class, district would result in an average class size of 80.4 in that district. In the face of rising criticism, late in January 1977, the board met in executive session and decided to allocate all disadvantaged funds to disadvantaged students; three years were to be used for the change. At no time thereafter, however, did the board acknowledge in an open meeting having made such a decision.

During Spring 1977, the Chicago Urban League published an analysis of the issue. The superintendent was accused of exploiting rather than violating the law. The League pointed out that nearly $225 million in compensatory funds were available to the district, as follows:

Title I	$ 51,000,000
State disadvantaged funds	173,000,000
	$224,000,000

From state funds alone, $815 "extra" was theoretically available for each pupil classified as disadvantaged. About three out of every ten students were so classified. Yet, they were not receiving their allotment.

Examining alternative remedies, especially reassigning teachers and lowering class size, the League preferred the latter. Of the first one, it stated:[59]

> That method of redistribution would be intolerable, not only for its effects upon losing schools, but also for the reason that by itself it is non-programmatic and nothing more than a way of carrying money from one place to another.

It contended that after lowering class size in schools enrolling large numbers of disadvantaged, no class in any school would be larger than 36 pupils. The school board continued to resist a resolution of the matter.

57. See, e.g., Jesse Burkhead and others, *Input and Output in Large-City High Schools* (Syracuse, N.Y.: Syracuse University Press, 1967), p. 92.
58. The suit, filed on December 14, 1976, was sponsored by Operation [illegible]SH, headed by Rev. Jesse Jackson.
59. Roger Fox and Bernard Lacour, *The Issue of Resource Equalization: Funding the Education of Economically Disadvantaged Children* (Chicago: Chicago Urban League, Spring 1977), p. 42.

In March 1977, the state board of education issued its final version of regulations governing the use of special state disadvantaged funds. While the rules clearly directed that disadvantaged children benefit from the funds, non-disadvantaged children were not flatly excluded from its benefits. Black legislators tried in vain to extract a legislative declaration directing that all the special funds be utilized by poor children only. During July and August, lawyers representing plaintiffs in the above-mentioned lawsuit against the school board could not convince the board to discuss with them its off-the-record decision of January.

A renewed legislative campaign was mounted by black legislators when they introduced H. B. 2619 in February 1978. The compromise measure required only 55 percent of the disadvantaged funds to be spent on disadvantaged children. The school board would be given until September 1982 fully to implement the law. In June, the bill passed and was signed into law. Some critics objected that much of the basic inequity remained but an Urban League spokesperson commented: "A proportion of the other 45 percent was going to overall administrative overhead or for existing programs for the disadvantaged . . . so it is not as if the funds were lost to poor and black schools."[60]

Viewed in the context of traditional Chicago politics, passage of the H. B. 2619 ranked as a constructive compromise. Yet, it also embodied a standard of apportionment that cast serious doubt on the concept of compensatory education. Under federal Title I comparability standards, H. B. 2619 would not have been acceptable. It is thus possible to anticipate a situation in which federal authorities will be compelled to reject the logic of H. B. 2618 and curtail the flow of Title I funds to Illinois.

That reform comes hard in Chicago was underscored by the passage of another year. The August 15, 1979, deadline for school board submission of a plan indicating how special disadvantaged funds of $196 million would be used arrived and departed without such a plan. Actually, the superintendent sent a plan to the state but had not sought prior school board approval of it. The board later voted to rescind the plan in mid-September 1979. A black board member who moved the action complained that she was unable to learn from the superintendent, according to one account, "what children from poor families are getting new education programs they did not receive last year, in what schools the new programs are planned, and how the spending would be monitored."[60a] Soon thereafter, a majority of the board approved the superintendent's plan.

60. *Chicago Urban League Newsletter*, Fall 1978, p. 6.
60a. Ms. Carey Preston, School board vice president.

The Chicago episode attests to the ubiquity of intra-district inequalities. Notable, also, is the deliberate character of the inequalities. That is, they are consciously enacted and maintained by official action. Earlier commentators have pointed to such action as a universal feature of intra-district inequalities.[61]

9. Los Angeles

In Fall, 1978, the Los Angeles school began a court-approved interim desegregation plan which embraced only grades 4-8. Pending hearings the following year on a final plan, Judge Paul Egly appointed eight expert witnesses to investigate various outstanding issues. Expert Bernard R. Gifford probed the allocation of resources within the school system in two reports, one released in November 1978, the other in February, 1979. Ronald K. H. Choy was co-author of the report. The reports are of great value in studying intra-district inequalities. More systematically than in other cities, the Gifford analysis utilized an independent series of statistical analyses based on raw data supplied by the school district.

A central finding of the analysis was that "per pupil spending levels from general funds [i.e., local and state funds] . . . are lower for black and Hispanic pupils as a group than for white pupils as a group."[62] With respect to per pupil direct instructional expenditures, these were seven percent less for Hispanic than for whites in elementary schools. The situation in high schools was reversed, with whites receiving three percent less than Hispanics. Whites received less of special compensatory funds, as would be expected. Between-school disparities were found by Gifford to be based on the size of a school, teacher salaries, and pupil-teacher ratios.

Federal comparability standards require equal school-by-school expenditures per pupil before compensatory funds become available. Compensatory funds in Los Angeles, however, are contributed by both federal and state governments. State comparablity standards are very different from those of Title I. As Table 7 indicates, the latter is more inclusive but the state program — SB 90/EDY — includes important elements as well. Gifford questions the exclusion of teachers' experience or longevity pay from per pupil expenditure[63]:

> Why should longevity increments be excluded? It is

61. See W. Norton Grubb and Stephan Michelson, *States and Schools, The Political Economy of Public School Finance* Lexington, Mass.: Lexington Books, 1974), p. 61.
62. Bernard R. Gifford, *Towards a Workable Remedy: Maximizing Integrated Educational Settings and Equalizing Resource Allocation Policies in the Los Angeles Unified School District — A Response to the Crawford Mandate.* A Report to Judge Paul Egly, Superior Court of Los Angeles County, November 6, 1978, pp. 146-147. [Hereafter referred to as *Gifford I.*]
63. *Ibid.*, p. 184.

difficult to think of a good, substantive reason for excluding them as a measure of resources allocated to a school.

He predicts that if experience pay were not excluded, one-fourth of all schools in the district might be classified as non-comparable. Gifford adds:[64]

> To make them comparable, additional personnel would have to be assigned to the schools. One might even go so far as to speculate that this is the very reason why longevity increments are not included in comparability computations. Including them would require substantial reallocation of resources between schools with compensatory education projects and those without the projects, and this would probably have to happen throughout the State of California and the rest of the nation.

With teacher experience excluded, Gifford declares, the resulting measure is "meaningless."[65]

Since Los Angeles schools enjoy both Title I and SB 90/EDY programs, a peculiar situation can arise. Gifford points out: "Because every Title I school is also an SB 90/EDY school and because state special funds are treated as 'local' funds by the federal Title I comparability report, it is possible to maintain comparability and allocate disproportionately more off-norm general funds to non-Title I schools."[66] (Off-norm teachers refer to extra teachers assigned to a school for compensatory purposes.)

Gifford discovered a number of schools with above-average pupil-staff ratios. This meant some forty schools were under-norm. Why? Gifford suggests several reasons. For one thing, budgeted positions fail to attract qualified candidates or are rejected by such candidates. Mid-year vacancies caused by teachers who leave their jobs are another reason. Long-term substitutes might not be available or not be attracted. Occasionally absences may not be replaced by day-to-day substitutes. Gifford comments[67]:

> Besides the quantitative aspect of understaffing, there are qualitative dimensions. A school that is unable to fill positions with permanent, certified personnel must of necessity rely heavily on substitutes, either long-term or daily. In theory, substitutes are "inferior" to permanent, contract staff.

64. *Ibid.*, p. 186.
65. *Ibid.*
66. *Ibid.*, p. 189.
67. *Ibid.*, p. 203.

Gifford stresses the gravity of these schools' plight: "Worse than the low spending per pupil is the likelihood of budgeted funds left unspent because there were literally no takers."[68]

In the second report, more generalizations are made on the basis of the mass of findings and more detailed analyses are presented. The latter required special calculations and could not be completed in time for the first report.

"Resource disparities not related to educational needs," write Gifford and Choy, "mean that educational opportunities are unequal."[69] They provide numerous breakdowns specifying many such disparities. Following are tables that illustrate the principal disparities. Tables 8-12 apply to varying numbers of schools: 432, 75, and 49. (The disparity ratio refers to the relationship between the proportion of the total pupil population enrolled in a given grouping of schools and the proportion of the total minority [or non-minority] pupil population enrolled in these schools.)[70]

Table 8 shows that all Hispanic elementary schools have a per pupil expenditure from local funds that is nearly 13 percent lower than that of whites, Asians, and American Indians. Table 9, for high schools, shows per pupil expenditure from the same funds for all Hispanic schools that is nearly seven percent higher than those enrolling white, Asian, and American Indian schools. Table 10 breaks down current expenditures from local funds into five categories. Taking all Hispanic and "other" elementary schools, expenditures for administrators, support staff, and supplies differ by about five percent or so. Per pupil expenditures on operations are eight percent lower for Hispanic than for "other" students. The overall disparity between both groups of students is nearly thirteen percent. Table 11, on the other hand, shows virtually no overall difference for the same two groups in the junior high schools. Finally, Table 12 illustrates varying expenditures for classroom and substitute teachers, as well as for sabbatical leave changes. Much of the greater part of the inter-group differences lies with expenditures for classroom teachers. The black-other gap is 18 percent and the Hispanic-other gap, nearly 17 percent.

A series of three tables 13-15, relate to the distribution of teacher experience in the schools. Table 13 gives approximations of experience by using salary schedule groupings. (VI is least, XIII is most.) It should be noted that fully half of all teachers are in Grouping XIII. Gifford and Choy point out that as enrollment con-

68. *Ibid.*, p. 204.
69. Bernard R. Gifford, *Towards a Workable Remedy: Maximizing Integrated Educational Settings and Equalizing Resource Allocation Policies in the Los Angeles Unified School District — A Response to the Crawford Mandate. A Supplementary Report. . . .* February 24, 1979, p. 2. (Hereafter designated as *Gifford II.*)
70. See *Gifford I*, pp. 21-27.

Table 6. Direct Expenditure Per Pupil by Race/Ethnicity of Pupils Elementary Schools Los Angeles Unified School District 1976-1977*

Source of Funds	Purpose of Expenditure	All Pupils	Racial/Ethnic Group of Pupils				
			Indian	Black	Asian	Hispanic	White
General	Instructional	$ 785	$ 795	$ 768	$ 785	$ 767	$ 820
Special	Instructional	161	131	205	143	198	93
Total	Instructional	$ 946	$ 926	$ 973	$ 928	$ 965	$ 913
General	Other Direct	$ 139	$ 153	$ 140	$ 138	$ 136	$ 140
Special	Other Direct	7	6	7	6	7	6
Total	Other Direct	$ 146	$ 159	$ 147	$ 144	$ 143	$ 146
General	Total Direct	$ 924	$ 948	$ 908	$ 923	$ 903	$ 960
Special	Total Direct	168	137	212	149	205	99
Total	Total Direct	$1092	$1085	$1120	$1072	$1108	$1059

Source: *Racial and Ethnic Survey, Fall 1976; Expenditures Classified by Schools for the Fiscal Year Ended June 30, 1977.*

*Bernard R. Gifford, *Towards a Workable Remedy: Maximizing Integrated Educational Settings and Equalizing Resource Allocation Policies in the Los Angeles Unified School District — A Response to the Crawford Mandate.* A Report to Judge Paul Egly, Superior Court of Los Angeles County, November 6, 1978, p. 167.

Table 7. Personnel and Programs Included in Comparability Reports*

Personnel and Programs	SB 90/EDY	ESEA Title I
Personnel and Programs		
Supported by General Funds		
Certificated Staff		
Classroom Teacher	X	X
Resource Teacher		X
Team Teacher	X	X
Librarian		X
Nurse (Teaching)	X	X
Principal and Vice Principal		X
Psychologist, Psychometrist, et al.		X
Speech Therapist		X
Classified Staff		
Classroom Aide	X	X
Library Aide		X
Media Aide		X
Community Aide		X
School Secretary/Clerk		X
Programs & Other Personnel		
Compensatory Education		X
Bilingual/Bicultural		X
English as a Second Language		X
Mentally Gifted Minors	X	X
Alternative Programs	X	X
Vocational Education	X	X
Personnel and Programs		
Supported By State Special Funds		
Bilingual (Chacon AB 2284)		X
Early Childhood Education		X
Educationally Disadvantaged Youth (SB90)		X

Source: State of California, Department of Education, Consolidated Application and Resources Management Unit, "Instructions for the Preparation of the Comparability Report;" and discussions with Dr. Raoul J. Freeman, Assistant Superintendent, Management Information Division, Los Angeles Unified School District.

*Same as preceding, p. 175.

Table 8. Direct, School Based, Current Expenditures Per Pupil for Regular Day School Program by Type of Funds and Pupil Racial/Ethnic Composition According to 13 Zone Triangle System Lausd Elementary Schools, 1976-1977*

Pupil Racial/Ethnic Composition: 13 Zone System	Number of Schools	TOTAL Amount	TOTAL Disparity Ratio	REGULAR FUNDS Amount	REGULAR FUNDS Disparity Ratio	SPECIAL FUNDS Amount	SPECIAL FUNDS Disparity Ratio
Black	66	$	8	$	-5	$ 260	70
Majority Black-Other*	3	841	-6	775	4	66	-57
Black-Other	3	943	5	856	15	87	-43
Majority Other-Black	12	872	-3	796	7	76	-50
Other	106		-8		6	36	-76
Majority Other-Hisp.	70	827	-8	778	5	49	-68
Other-Hispanic	43	822	-8	769	3	53	-65
Majority Hisp.-Other	38	884	-1	726	-2	158	3
Hispanic	64		8		-6	268	75
Majority Hisp.-Black	9	998	11	708	-5	290	90
Hospanic-Black	7	1,036	15	748	1	288	88
Majority Black-Hisp.	8	936	4	743	-0.1	193	26
Black-Other-Hispanic	3	832	-7	818	10	14	-91
Total/Overall Mean	432	$ 897	—	$ 744	—	$ 153	—
Percent of Total		(100.0%)		(82.9%)		(17.1%)	

Source: 1976-1977 expenditures, excluding pupil transportation.
Note: Schools are grouped by their 1977 zones.
*"Other" includes White, Asian and American Indian.
**Bernard R. Gifford, *Towards a Workable Remedy: Maximizing Integrated Educational Settings and Equalizing Resource Allocation Policies in the Los Angeles Unified School District — A Response to the Crawford Mandate. A Supplementary Report . . .* February 24, 1979, p. 50

Table 9. Direct, School Based, Current Expenditures Per Pupil for Regular Day School Program by Type of Funds and Pupil Racial/Ethnic Composition According to 13 Zone Triangle System Lausd Senior High Schools, 1976-1977**

Pupil Racial/Ethnic Composition: 13 Zone System	Number of Schools	TOTAL Amount	TOTAL Dis-parity Ratio	REGULAR FUNDS Amount	REGULAR FUNDS Dis-parity Ratio	SPECIAL FUNDS Amount	SPECIAL FUNDS Dis-parity Ratio
Black	8	$	9	$	1	$ 141	143
Majority Black-Other*	1	984	1	928	1	56	-3
Black-Other	2	984	1	951	3	33	-43
Majority Other-Black	3	981	0.2	961	4	20	-66
Other	14		-7		-3	19	-67
Majority Other-Hisp.	10	963	-2	923	0.2	40	-31
Other-Hispanic	2	974	-1	913	-1	61	5
Majority Hisp.-Other	2	970	-1	933	1	37	-36
Hispanic	5		11		4	134	131
Majority Hisp.-Black	1	1,010	3	932	1	78	34
Hispanic-Black	0	—	—	—	—	—	—
Majority Black-Hisp.	0	—	—	—	—	—	—
Black-Other-Hispanic	1	907	-7	873	-5	34	-41
Total/Overall Mean	49	$ 979	—	$ 921	—	$ 58	—
Percent of Total		(100.0%)		(94.1%)		(5.9%)	

Source: 1976-1977 expenditures, excluding pupil transportation.
Note: Schools are grouped by their 1977 zones.
*"Other" includes White, Asian and American Indian.
**Same as preceding, p. 54.

Table 10. Direct, School Based, Current Expenditures Per Pupil From Regular Funds for Regular Day School Program Lausd Elementary Schools, 1976-1977**

Pupil Racial/Ethnic Composition: 13 Zone System	Number Of School	Total		Adminstrators		Teachers		Support Staff		Supplies		Operations	
		Amount	Dis-parity Ratio	Amount	Dis-parity Ratio	Amount	Dis-parity Ratio	Amount	Dis-parity Ratio	Amount	Dis-parity Ratio	Amount	Dis-parity Ratio
Black	66	$	-5	$		$	-6	$	-13	$	4	$	2
Majority Black-Oth.*	3	775	4	55	10	617	2	8	-47	24	-4	71	39
Black-Other	3	856	15	58	16	662	10	29	93	25	0	82	61
Majority Oth.-Blk.	12	796	7	56	12	624	3	36	140	25	0	55	8
Other	106		6				7		7		-4		6
Majority Oth.-Hisp.	70	778	5	49	-2	641	6	17	13	24	-4	47	-8
Other-Hispanic	43	769	3	48	-4	632	5	12	-20	24	-4	53	4
Majority Hisp.-Oth.	38	726	-2	50	0	588	-2	13	-13	23	-8	52	2
Hispanic	64		-6				-7		13		0		-2
Majority Hisp.-Blk.	9	708	-5	51	2	577	-4	11	-27	23	-8	46	-10
Hispanic-Black	7	748	1	52	4	591	-2	14	-7	29	16	62	22
Majority Blk.-Hisp.	8	743	-0.1	61	22	590	-2	11	-27	28	12	53	4
Blk.-Oth.-Hisp.	3	818	10	50	0	669	11	10	-33	28	12	61	20
Total/Overall Mean	432	$ 744	—	$ 50	—	$ 603	—	$ 15	—	$ 25	—	$ 51	—
Percent of Total		(100.0%)		(6.7%)		(81.0%)		(2.0%)		(3.4%)		(6.9%)	

Source: 1976-1977 expenditures.
Note: Schools are grouped by their 1977 zones.
*"Other" includes White, Asian and American Indian.

Table 11. Direct, School Based, Current Expenditures Per Pupil From Regular Funds for Regular Day School Program Lausd Elementary Schools, 1976-1977**

Pupil Racial/Ethnic Composition: 13 Zone System	Number Of School	Total Amount	Total Disparity Ratio	Adminstrators Amount	Adminstrators Disparity Ratio	Teachers Amount	Teachers Disparity Ratio	Support Staff Amount	Support Staff Disparity Ratio	Supplies Amount	Supplies Disparity Ratio	Operations Amount	Operations Disparity Ratio
Black	14	$	-2	$	12	$	-3	$	-5	$	4	$	3
Majority Black-Oth.*	0	—	—	—	—	—	—	—	—	—	—	—	—
Black-Other	1	943	5	71	25	733	4	40	8	26	-7	73	0
Majority Oth.-Blk.	12	914	2	54	-5	722	2	40	8	27	-4	71	-3
Other	12		-0.1		-4		0.4		-3		0		-1
Majority Oth.-Hisp.	14	912	1	57	0	717	2	36	-3	28	0	74	1
Other-Hispanic	3	934	4	60	5	729	3	32	-14	30	7	83	14
Majority Hisp.-Oth.	10	874	-3	53	-7	691	-2	36	-3	27	-4	67	-8
Hispanic	6		-0.2		-9		0.3		-3		4		1
Majority Hisp.-Blk.	1	841	-7	57	0	681	-3	35	-5	27	-4	41	-45
Hispanic-Black	0	—	—	—	—	—	—	—	—	—	—	—	—
Majority Blk.-Hisp.	2	983	9	84	47	721	2	43	16	42	50	93	27
Blk.-Oth.-Hisp.	0	—	—	—	—	—	—	—	—	—	—	—	—
Total/Overall Mean	75	$ 900	—	$ 57	—	$ 705	—	$ 37	—	$ 28	—	$ 73	—
Percent of Total		(100.0%)		(6.3%)		(78.3%)		(4.1%)		(3.1%)		(8.2%)	

Source: 1976-1977 expenditures.
Note: Schools are grouped by their 1977 zones.
*"Other" includes White, Asian and American Indian.
**Same as preceding, p.

Table 12. Direct, School Based Expenditures for Teachers From Regular Funds by Pupil Racial/Ethnic Composition According to 13 Zone Triangle System Lausd Elementary Schools, 1976-1977***

Pupil Racial/Ethnic Composition: 13 Zone System	Number of Schools	Total		Classroom		Substitutes		Sabbatical	
		Amount	Disparity Ratio	Amount	Disparity Ratio	Amount	Disparity Ratio	Amount	Disparity Ratio
Black	66	$	-6	$	-8	$	34	$	0
Majority Black-Other*	3	617	2	572	1	36	24	9	29
Black-Other	3	662	10	617	9	27	-7	18	159
Majority Other-Black	12	624	3	587	4	27	-7	10	43
Other	106		7		8		-17		14
Majority Other-Hisp.	70	641	6	608	7	26	-10	7	0
Other-Hispanic	43	632	5	599	6	26	-10	7	0
Majority Hisp.-Other	38	588	-2	554	-1	26	-10	8	14
Hispanic	64		-7		-7		-10		-14
Majority Hisp.-Black	9	577	-4	541	-5	34	17	2	-71
Hispanic-Black	7	591	-2	552	-3	31	7	8	14
Majority Black-Hisp.	8	590	-2	549	-3	33	14	8	14
Black-Other-Hispanic	3	669	11	640	13	29	0	**	**
Total/Overall Mean	432	$ 603	—	$ 567	—	$ 29	—	$ 7	—
Percent of Total		(100.0%)		(94.0%)		(4.8%)		(1.2%)	

Source: 1976-1977 Expenditures.
Note: Schools are grouped by their 1977 zones.
* "Other" includes White, Asian and American Indian.
** Less than $0.50 per pupil; almost absolute (negative) disparity.
*** Same as preceding, p. 65.

Table 13. Distribution of Lausd Teachers by Groups of Salary Schedules Approximating Years of Experience*

Salary Schedule	Elementary		Junior High		Senior High		Total	
Groupings	Number	Pct.	Number	Pct.	Number	Pct.	Number	Pct.
VI, VII,VIII	1,130	10%	993	17%	780	14%	2,903	13%
IX, X, XI, XII	4,468	41	2,019	35	1,634	30	8,121	37
XIII, Steps 1-9	3,204	29	1,520	27	1,408	26	6,132	28
XIII, Step 10	2,117	19	1,174	21	1,687	30	4,978	22
Total	10,919	100%	5,706	100%	5,509	100%	22,134	100%
Percent of All Teachers	(49%)		(26%)		(25%)		(100%)	

Source: December 1977 payroll.
Note: Does not include daily substitutes (roughly 1,400 FTE teachers), who are restricted to schedule VI. Includes all certificated staff paid according to the Preparation Salary Schedule, over 90 percent of whom are teachers.

*Same as preceding, p. 112.

Table 14. Distribution of Teacher Experience and Training Among Schools Grouped by Pupil Racial Ethnic Composition According to the 13 Zone Triangle System All Schools, Fall 1977**

Pupil Racial/Ethnic Composition: 13 Zone System	All Teachers		Least Experience and Training: Schedules VI, VII & VIII			Most Experience and Training: Schedules XIII, Step 10		
	Number	Percent of Total	Number	Percent of Total	Disparity Ratio	Number	Percent of Total	Disparity Ratio
Black	3,876	17.5	655	22.6	29	418	8.4	-109
Majority Blk.-Oth.*	181	0.8	28	1.0	18	32	0.6	-27
Black-Other	355	1.6	54	1.9	16	100	2.0	25
Majority Other-Black	1,401	6.3	172	5.9	-7	455	9.1	44
Other	4,339	19.6	401	13.8	-42	1,571	31.6	61
Majority Oth.-Hisp.	3,630	16.4	335	11.5	-42	1,064	21.4	30
Other-Hispanic	1,375	6.2	140	4.8	-29	320	6.4	3
Majority Hisp.-Oth.	2,264	10.2	359	12.4	21	373	7.5	-37
Hispanic	3,384	15.3	559	19.3	26	431	8.7	-77
Majority Hisp.-Blk.	560	2.5	85	2.9	16	75	1.5	-68
Hispanic-Black	212	1.0	21	0.7	-32	38	0.8	-25
Majority Blk.-Hisp.	359	1.6	58	2.0	23	55	1.1	-47
Blk.-Oth.-Hisp.	198	0.9	36	1.2	39	46	0.9	3
Totals	22,134	100.0	2,903	100.0	—	4,978	100.0	—
Percent of All Teachers	(100.0%)		(13.1%)			(22.5%)		

Source: December 1977 payroll.
Note: "Percent of Total" may not add to 100.0 percent due to rounding.
*"Other" includes White, Asian and American Indian.
**Same as preceding, p. 123.

Table 15. Distribution of Permanent and Substitute Teachers Among Schools Grouped by Pupil Racial Ethnic Composition According to the 13 Zone Triangle System All Schools, Fall 1977**

Pupil Racial/Ethnic Composition: 13 Zone System	All Teachers		Permanent			Substitutes		
	Number	Percent of Total	Number	Percent of Total	Dis-parity Ratio	Number	Percent of Total	Dis-parity Ratio
Black	4,200	17.7	3,462		-4	738		20
Majority Blk.-Oth.*	181	0.8	161	0.8	4	20	0.6	-33
Black-Other	359	1.5	313	1.6	2	46	1.3	-15
Majority Other-Black	1,396	5.9	1,250	6.2	5	146	4.2	-40
Other	4,467	18.8	3,979		4	488		-34
Majority Oth.-Hisp.	3,714	15.7	3,346	16.5	6	368	10.6	-48
Other-Hispanic	1,514	6.4	1,289	6.4	-0.2	225	6.5	1
Majority Hisp.-Oth.	2,482	10.5	2,046	10.1	-4	436	12.5	20
Hispanic	3,873	16.3	3,141		-5	732		29
Majority Hisp. Blk.	643	2.7	506	2.5	-8	137	3.9	45
Hispanic-Black	259	1.1	217	1.1	-2	42	1.2	10
Majority Blk.-Hisp.	407	1.7	345	1.7	-1	62	1.8	4
Blk.-Oth.-Hisp.	206	0.9	170	0.8	-3	36	1.0	19
Totals	23,701	100.0	20,225	100.0	—	3,476	100.0	—
Percent of All Teachers	(100.0%)		(85.3%)			(14.7%)		

Source: October 1977 payroll.
Note: "Percent of Total" may not add to 100.0 percent due to rounding.
*"Other" includes White, Asian and American Indian.
**Same as preceding, p. 132.

Table 16. Distribution of Pupil-Teacher Ratios Among Schools Grouped by Pupil Racial/Ethnic Composition According to the 13 Zone Triangle System Lausd Elementary Schools Fall 1977***

Pupil Racial/Ethnic Composition: 13 Zone System	Number of Schools	Pupils		Pupil-Teacher Ratio			
				Regular Funds		All Funds	
		Number	Percent of Total	Pupil-Teacher Ratio	Disparity Ratio	Pupil-Teacher Ratio	Disparity Ratio
Black	66	52,682	17.2		4		10
Majority Black-Other*	3	1,340	0.4	27.3	-1	26.3	-8
Black-Other	3	1,358	0.4	26.6	2	23.4	3
Majority Other-Black	12	5,635	1.8	28.3	-4	26.3	-8
Other	106	56,285	18.3		-1		-10
Majority Other-Hispanic	70	42,509	13.9	27.4	-1	26.1	-8
Other-Hispanic	43	28,884	9.4	27.9	-3	26.0	-7
Majority Hispanic-Other	38	32,785	10.7	27.6	-2	24.5	-2
Hispanic	64	62,121	20.2		0		8
Majority Hispanic-Black	9	9,528	3.1	24.9	9	21.4	13
Hispanic-Black	7	5,514	1.8	26.6	2	21.3	13
Majority Black-Hispanic	8	6,570	2.1	27.7	-2	23.5	3
Black-Other-Hispanic	3	1,670	0.5	29.8	-9	27.8	-13
Total/Overall Mean	432	306,881	100.0	27.1	—	24.1	—
Percent Above Norm**				(14.4%)		(28.6%)	

Source: October 1977 payroll.
Note: "Percent of Total" may not add to 100.0 percent due to rounding.
* "Other" includes White, Asian and American Indian.
** Elementary norm is 31.0 pupils per teacher.
*** Same as preceding, p. 93.

tinues to diminish the country over, the teaching force as a whole will tend to age. Table 14 divides teachers by extent of experience. Note the startlingly few teachers of long experience found in all-black and all-Hispanic schools as contrasted with the situation in "other" schools. Less-experienced teachers are less unevenly distributed although the disparity ratios are large. Table 15 shows that while permanent teachers are to be found somewhat unevenly distributed, disparity ratios for the distribution of substitutes are quite high.

Pupil-teacher ratios are displayed in Table 16. Variations among all-Hispanic, all-black, and all-Other schools are very slight with reference to local or regular funds. The addition of compensatory funds produces a drop of around five students in Hispanic and black schools, and, unexpectedly, a bit for Other schools.

10. The Omission of Sins

While the intra-district dimension is customarily omitted from litigation and research on inter-district issues, it nevertheless enters through the rear door, so to speak. Often, in such litigation an argument on behalf of the plaintiffs is presented that portrays school districts as passive victims of forces external to their boundaries. The assumption is made that intra-district inequalities do not exist. Not that the matter is discussed. The plight of the district is portrayed in such terms that there is simply no room to consider conscious policy decisions to short-change one group of children in favor of another, as has occurred in Washington, New York, Chicago, Los Angeles, and elsewhere.

The arguments in one inter-district case, *Levittown Union Free School District* v. *Nyquist,* illustrate this point. In a publication based on testimony of city plaintiffs, the Potomac Institute contended that large cities not only have more than average amounts of poverty, "but urban circumstances greatly exacerbate the hardships of poverty and complicate their resolution."[71] No mention is made of school board policies of internal misallocation as one of those circumstances. Much is made of substandard facilities without even a suggestion of maldistribution of such resources on the basis of class or race. A statement alleges that *kindergarten* children from poor homes in Syracuse "quite frankly, looked like dropouts before they even had a chance to get started." Poverty is said by another authority to lead to "impaired learning readiness." Dialect differences were said to make it difficult for poor children to learn to read. Mental disorders among city students were said to be "pervasive" although two pages earlier over three-quarters of children

71. *Central-City Schooling: Money Can Make a Difference: A Case for the Country's Conscience* (Wash., D.C.: The Potomac Institute, September 1977), p. 3.

under discussion were not to need "immediate psychiatric intervention."[72]

Educational problems of foreign-language speaking students in New York City are discussed as though the authorities were straining at the bit to carry out an adequate program, contrary to OCR findings. Absenteeism is cited as a part-explanation of low achievement. But nearly all the figures relate to high schools. No explanation is given why many urban elementary schools attended by poor and minority students have low absentee rates and meager achievement records. The acting head of New York City's high schools is quoted: "The degree of educational retardation in the cities makes ineffectual the teaching of the traditional substantive high school curriculum."[73] Once more, the school system is presented as an undifferentiated whole, disadvantaged by an overabundance of poor children and put upon by an unjust system of state finance. Poor parents are described as resisting involvement in the schools. Title I funds are said to be inadequate in New York City schools, but no reference is made to the school system's wrongful use of some of these funds.

The Potomac presentation aims to create judicial sympathy for an overworked, sensitive school system which strives against odds to care adequately for its charges. This portrait bears little resemblance to the factual world of intra-district inequalities. The avenue to inter-district reform crosses the road to intra-district equality. Both must be traversed — and in broad daylight.

11. A New Inquiry

In passing the Education Amendments of 1978, Congress directed the making of a three-year study of elementary and secondary school finance. Coordination of the project was lodged with the HEW School Finance Study.

A preliminary research plan provides for, among other things, an analysis of intra-district inequalities. This is perhaps the first time the subject has been included in a full-scale federal inquiry.

Subsection (e) (4) of Section 1203 of the Education Amendments calls for "an analysis of standards to measure inter-state, intra-state, and intra-district equalization, including an examination of the standards showing disparities in expenditures, variations from fiscal neutrality, weighting of classes of pupils, and applications of these standards to an illustrative number of states, school districts, and schools. . . ." HEW comments that "the statutory language requires a comprehensive examination of the Federal/

72. *Ibid.*, pp. 15-16, 17.
73. *Ibid.*, p. 34.

state/local system of financing elementary and secondary education.'"[74] One problem in equity referred to is that "tax burdens fall unequally and inequitably within districts, states, and the nation.'"[75] It is noted that equity problems are "especially complex" and that they include "how equitably resources are distributed . . . within districts, and how equitably the burden of financing schools falls on taxpayers with different incomes and wealth.'"[76] With reference to the current distribution of resource, HEW suggests we ask "how do the resources allocated to the educationally and economically disadvantaged, the handicapped, those with limited English proficiency, minorities, and other 'special' pupils compare with those available to majority pupils in their schools, districts, states, and in the nation?'"[77] One of the federal policy options that might be considered are "fiscal incentives for equalization or disincentives for failing to achieve equalization standards. . . ."[78]

The proposed study seems to be informed by an integrated conception of school finance rather than dwelling on one or another level. "One of the basic criteria for evaluating any school finance reform, or other change in a school finance system," writes HEW, "is its effect on the equity of the distributions of educational resources (or opportunities) and tax burdens."[79] Thus, mere equality of tax burdens between districts may not result in any more equal distribution of resources and opportunities in the classroom. As was pointed out on page 3 of the previous issue of the *Research Review,* too frequently tax rates are confused with educational conditions. Notable, too, is HEW's intention to include equity between students in single schools. A special effort will be made to trace the effect of federal programs and policies on intra-district and inter-pupil distributions.

While the scope of the inquiry is unprecedented, its intra-district and intra-school features could well founder on the issue of a data base. As we have seen, few school systems have data readily available on comparative costs. In addition, central staff personnel guard whatever data are available, since they sense political repercussions may follow from wide public knowledge of costs. There is reason to expect a factual inquiry to reveal substantial inequities on these dimensions.

One existing data base has not yet been exploited. This is the series of HEW compliance reviews conducted in five large cities.

74. U.S. Department of Health, Education and Welfare, *Research Plan for the Congressionally Mandated Study of School Finance, January 1979,* draft for review, p. 8. A later version of this report is emphatic as to the importance of intra-district and inter-school inequalities. See HEW, *Study Plan for the Congressionally Mandated Study of School Finance,* July 1979.
75. *Ibid.*, p. 14.
76. *Ibid.*, p. 15.
77. *Ibid.*, p. 16.
78. *Ibid.*, p. 26.
79. *Ibid.*, p. 32.

The material cited earlier in reference to New York City came from this source. A broader set of data can be distilled from extensive material in the hands of the HEW Audit Agency. These relate especially to Title I, a prime federal program. Such data have lived a rather shadowy existence heretofore.

12. Summary

For the past decade or so, research on school finance has been dominated by a concern with inter-district inequalities. This has led to changes in state financing formulas. But it is unknown whether such changes have affected inequitable distributions of educational resources within districts and between classrooms in single schools. Unless such inquiries are pursued, it is conceivable that inter-district changes may accentuate rather than moderate lower-level inequities. In any event, equity in the distribution of educational resources cannot be studied realistically without relating inter-district, intra-district, and inter-classroom dimensions. Yet, most of the research literature reflects an unawareness of this fact.

Deliberate intra-district inequalities based on race were the rule in southern education for a century after the Civil War. Black advocates of universal public education were put on the defensive and compelled to demonstrate that blacks were not a financial burden on the white community. In the North, black schooling varied from bare equality to blatant inequality. Newark and Chicago illustrate the extremes. In Washington, D.C., inequalities outstripped those of both cities.

Modern educational research on intra-district inequalities began with Patricia C. Sexton's 1961 work. It was ignored by many and research proceeded in abstraction from its findings. Ten years or so later, however, isolated researchers began to treat her findings seriously and to conduct their own — if more restricted in scale — work. Intra-district inequalities in Philadephia, Oakland, and cities in Michigan were examined. At about the same time, inter-classroom inequalities were analyzed in a pioneer study by Winkler.

Legal safeguards against unequal school expenditures proved undependable as far as minority children were concerned. While a few state and lower federal courts held out for the principle of equality, by the beginning of the present century the highest court in the land had ruled that racial segregation and deliberately lower expenditures for black children (*Plessy* and *Cumming*) were consistent with the federal Constitution. In 1954, the same Court evaded the issue of material equality by unaccountably proclaiming that such equality was more or less a matter of the past. A decade passed before federal courts adopted a more realistic stance and began

to rule against material equalities based on race. The U. S. Court of Appeals for the Fifth Circuit led the way by insisting that Deep South districts remedy extreme financial inequalities. A better-known, if not fundamentally different, line of rulings arose in Washington, D.C. in *Hobson* v. *Hansen*. The *Hobson II* decree was implemented successfully. It did not create a thriving school system, nor had it set out to do so. Rather, the court outlawed material inequalities in per pupil expenditures. This was largely achieved. In 1977 the U.S. Supreme Court, in *Milliken II,* adopted its most direct position yet on intra-district inequalities.

To an undetermined degree, Title I of ESEA has worsened intra-district inequalities, at least in some school districts. In these cases, districts withdrew local funds from schools attended by poor children and replaced these with Title I funds. Or, Title I funds were used improperly to purchase educational services for ineligible children, thereby heightening the relative disadvantage of poor children. Indifferent enforcement by Title I authorities has marked much of the measure's history. Another major measure of Title I-generated inequality stems from the politically-induced regulation excluding the experience or longevity component of teacher pay from comparability standards.

Intra-district inequalities in New York City were found by OCR to be sweeping in character. Physical facilities in minority schools were inferior to those in other schools; Spanish-speaking students were deprived of equal opportunity because of the relative lack of Spanish-speaking counselors and guidance personnel. Children most in need of smaller classes were enrolled in larger ones. Per pupil expenditures for minority students were lower for minority students not only on a school-by-school basis, but even on a classroom-by-classroom basis as well. OCR also charged the district with violating Title I regulations to the disadvantage of poor students. In Chicago, state funds designed for disadvantaged students were treated as general revenues and distributed to poor and affluent students alike. Even after passage of compromise state legislation, however, the school district was still resisting basic changes in its allocation procedures. Los Angeles also was found to be characterized by intra-district inequalities related to racial, ethnic, and — inferentially — economic factors.

At times, an effort to support litigation for revision of inter-district taxation has led attorneys to omit the cloud of intra-district inequalities and to exaggerate factors beyond the power of school districts to control.

A new federal inquiry into school finance gives promise of dealing frontally with the issue of intra-district inequalities. Over a period of three years, a study is to be made of inter-district, intra-

district, and within-school inequalities. If the project comes off as presently designed, it may be of pivotal significance in the formulation of future policy and research.

13. Conclusion

Intra-district inequalities are a fact of life in American public schools. Historically, their existence is extensively documented especially with respect to race. Such racial inequalities are by no means, however, unknown to our present day. Yet, educational researchers and reformers alike have all but ignored the reality of intra-district inequalities. Even researchers who seem aware of the problem and affirm its importance very often do not view it as weighty enough to engage their personal research energies.

Yet, researchers in education finance who fail to incorporate the intra-district dimension into their analysis thereby forswear a means of ascertaining the educational significance of changes in state financing systems. One reason for this failure is the over-reliance of many researchers on national and regional aggregated perspectives in their analyses. School data are lost in the shuffle, even if the research purportedly is concerned with educational equality. Neither the Coleman Report, for example, nor the critics of it, are able to tell us much helpful about school-by-school material inequalities since single schools are excluded from their analysis.

The point is not to drop inter-district analysis in favor of intra-district research. Rather, the goal should be the study the entire stream of resources travelling to the student rather than only one element, usually the inter-district element. Unless both elements are joined in a single analysis, vast public funds will continue to be invested in a process whose culmination is an unknown factor. School systems are virtually free of external checks on the final disposition of enormous tax funds. School boards and superintendents guard this prerogative most jealously. Attempts to elicit detailed school-by-school expenditure data from school systems are in vain. The national research community has not seen fit to challenge this stance. Instead, it tends to tailor its research formulations to the political realities of fiscal secrecy.

A striking orientation of many researchers is their ignoring of the civil rights interest in educational finance. One does not encounter findings or viewpoints of poor and minority parents and representatives on the pages of typical research reports written by education finance experts. Extensive empirical observations by civil rights sources are readily available. They are ignored, for the most part, much as one might expect if school system authorities were

doing the research. Much of the evidence of intra-district inequalities which courts have found to be well-established was available long before from civil rights sources. Researchers ignored this evidence. By and large, they continue to do so. There is a sizable disjunction between court evidence of intra-district inequalities and researchers' recognition of such evidence.

Future research on intra-district inequalities depends crucially on the quality and availability of school and classroom financial data. Many large school systems are lacking in the fundamentals of cost data. Until, for example, a court-appointed financial expert searched the records of the Cleveland, Ohio school district, it had been thought that the district was exceptionally businesslike. The opposite was nearer the truth as the expert — a tax lawyer by training — found to his dismay.[80] When the New York City school district received the November 1976 charges from OCR, it was not able to evaluate these until a small internal staff devised an appropriate system of records and data. Thereupon, the school board decided not to challenge the accuracy of the OCR charges.[81]

Many central school administrators are reluctant to publicize per pupil expenditures because of possible community repurcussions. Others express almost a proprietary interest in keeping the figures confidential as a private business person might more appropriately do. Quite possibly, financial data about the daily operations of public schools may be less public than data about any other level of government. The public interest in cost data is not represented by civic groups. Civil rights groups do not seem especially interested, either. Levin has suggested that school districts be required to publish separate cost data for each school in the district.[82] While such a step is technologically feasible in school districts such as Chicago which record internally per school expenditures as against budgets, there seems little prospect that it will be implemented. Pressure groups representing school boards and local and state superintendents may be expected to oppose such an innovation.

A significant source of data still lies untapped. These are the findings of OCR compliance reviews parallel to the one reported above for New York City. Reviews have also been made for Chicago, Los Angeles, Houston, and Philadelphia. Records of the

80. *Reed* v. *Rhodes*, C73-1300, February 6, 1978, p. 48. See, also, David L. Parham, *The Cleveland School Desegregation Decision* (Cleveland, Ohio: Greater Cleveland Project Resource Center, December 23, 1977.)
81. *Response of the Board of Education of the City of New York to the November 9, 1976 Letter from the Office for Civil Rights, United States Department of Health, Education, and Welfare*, April 22, 1977.)
82. Henry M. Levin, "Financing Education for the Urban Disadvantaged," p. 16 in Sterling M. McMurrin (ed.), *Resources for Urban Schools: Better Use and Balance (N.Y.: Committee for Economic Development, 1971).*

HEW Audit Agency include extensive documentation on intra-district inequalities related to violations of Title I regulations. These two sets of data are almost unique in American education.

Legal thinking has not been applied, except briefly, to the issue of intra-district inequality. The failure of *Rodriquez* before the U.S. Supreme Court in 1973 very likely was interpreted by many as foreclosing high court inaction against intra-district inequalities, as well. But whereas no direct link joins inter-district inequality with *Brown,* the matter is quite otherwise with intra-district inequalities. As indicated above, a fairly large number of decisions on various levels exist. They should be examined from the viewpoint of pursuing intra-district litigation independently or as an aspect of inter-district cases.

Rodriguez turned back a request for an order directing legislative revision of state taxing systems on the grounds that the issue lacked a constitutional basis, i.e., the provision of a certain level of schooling was not a fundamental right under federal law. The plaintiffs' invocation of the Fourteenth Amendment was rejected. In a sense, *Rodriquez* was a triumph of *de facto* reasoning: The condition complained of was deplorable but no federal remedy was available since no intentional discrimination could be demonstrated. The same line of reasoning is much less likely to apply to intra-district inequalities since this area of action is solely in the hands of local school boards. Allocation of funds among the schools in a district is a local decision that is accomplished every year at budget time. Conscious intention is the essence of the act.

Does desegregation eliminate intra-district inequalities? In part, yes. Gross inequalities on a school-by-school basis are less likely on a racial basis. At the same time, class-based inequalities may continue in force. More important, however, are per pupil inequalities based on classroom-to-classroom inequalities. The OCR data on New York City, it will be recalled, revealed such inequalities. Ability-grouping and tracking are principal mechanisms for perpetuating intra-school inequalities. Teacher-transfer rules are another one. As desegregation spreads, the absence of research on classroom inequalities becomes more regrettable.

Financial equity is a critical component of equal education. Like other forms of equity in our society, it, too, is subject to constraints of race and class. To understand failures of financial equity we must study the broad range of levels on which public funds are managed and allocated. Only then can we build up a reliable representation of financial equity in the schools.

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